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REMARKS

Claims 12-14, 17-19, and 21 were previously pending in this application. Claim 22 has been cancelled without prejudice or disclaimer. Claims 12-14, 17-19, and 21 have been amended. New claims 23, 24, and 25 have been added. As a result claims 12-14, 17-19, 21, and 23-25 are pending for examination with claims 12 and 21 being independent claims. No new matter has been added. Support for the amendments and new claims can be found throughout the application, including the claims, as originally filed. Applicants respectfully request entry and consideration of the claims. Amendments to the claims relate to clarifying what Applicants regard as the invention.

Provisional Double Patenting Rejection

Claims 12-14, 17-19, 21 and 22 stand provisionally rejected under the judicially created doctrine of obviousness-type double-patenting over claims 12-15, 17-19, and 21-29 of U.S. Patent Application Serial No. 10/017,077 in view of the teaching of Tagashira et al. in U.S. Patent No. 4,070,281 (the '281 patent).

Applicants acknowledge the provisional double patenting rejection and reserve the right to respond accordingly, if necessary.

Rejection under 35 U.S.C. § 112

Claims 17-19 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Claims 17-19 have been amended to overcome this rejection.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, is respectfully requested.

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Rejections Under 35 U.S.C. § 103

Claims 12-14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the teaching of a publication titled "A Circuit Board Manufacturer's Solution to Wastewater Treatment," published in Electronic Packing and Production (the "August 1995 publication") in view of the teaching of the '281 patent.

Claims 17-19, 21, and 22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over the teaching of the August 1995 publication in combination with the teaching of the '281 patent, and further in view of the teaching of Bowers in United States Patent No. 5,045,213 (the '213 patent).

Applicants respectfully disagree that claims 12-14 would have been obvious over the teaching of the August 1995 publication in view of the teaching of the '281 patent. Applicants also disagree that claims 17-19, 21, and 22 would have been obvious over the teaching of the August 1995 publication in combination with the teaching of the '281 patent and further in view of the teaching of the '213 patent.

The August 1995 publication teaches a wastewater treatment system for wastewater discharge streams. The disclosed wastewater treatment system has an activated carbon vessel upstream of ion exchange canisters to recover metals from the wastewater stream. The August 1995 publication does not teach, suggest, or provide any motivation to substitute the ion exchange canisters with a chemical precipitation unit. Significantly, the August 1995 publication teaches against utilizing precipitation systems and techniques. In particular, the disclosed wastewater treatment system utilizing ion exchange canisters is a "no headache approach" in comparison to traditional precipitation technology, which is difficult and expensive to control and maintain." (The August 1995 publication at the 3rd column.) Thus, the publication teaches against utilizing chemical precipitation unit operations. Therefore, there is no *prima facie* case of obviousness.

Further, even if the teachings of the cited references could have been combined, which Applicants do not concede, the proposed combination would not have resulted in the invention as claimed. At best, the combined teachings would result in a wastewater treatment system having

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an activated carbon vessel with ion exchange canisters, as disclosed in the August 1995 publication, utilizing a wet oxidation process that adds copper to promote oxidation of organic cyanogen species, as disclosed by the '281 patent. Clearly, one skilled in the art would not turn to the teaching of the '281 patent because it teaches adding copper species. Therefore, any *prima facie* case of obviousness is rebutted because the proposed combination would fail to recite at least one limitation in the present claims.

Claim 22 has been cancelled. Therefore the rejection as to this claim has been rendered moot.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 12-14, 17-19, 21, and 22 under 35 U.S.C. § 103(a).

Claims 12-14, 17-19, 21, and 22 appear to be rejected under 35 U.S.C. § 103(a) as being unpatentable over claims 12-15, 17-19 and 21-29 of U.S. Patent Application Serial No. 10/017,077 in view of the teaching of the '281 patent.

The present application is a divisional application of U.S. Patent Application Serial No. 09/113,981 filed on July 10, 1998 (now U.S. Patent No. 6,315,906). U.S. Patent Application Serial No. 10/017,077 is a divisional application of U.S. Patent Application Serial No. 09/113,982, also filed on July 10, 1998 (now U.S. Patent No. 6,346,195). Thus, the present application and the cited application both claim the same priority date. Therefore, the cited application is not available as a prior art reference under 35 U.S.C. § 102.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) over U.S. Patent Application Serial No. 10/017,077 in view of the teaching of the '281 patent.

CONCLUSION

In view of the foregoing Amendments and Remarks, this application is in condition for allowance. A notice to this effect is respectfully requested. If the Examiner believes that the

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application is not in condition for allowance, the Examiner is requested to call Applicants' attorney at the telephone number listed below.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicants hereby request any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50/0214.

Respectfully submitted,
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Docket No. C1069-700940
Date: October 24, 2003
X10/31/03

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